

NARBERTH BOROUGH

BOROUGH COUNCIL

MONTGOMERY COUNTY, PENNSYLVANIA

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A public hearing was held before the Narberth Borough Council, in Narberth Borough, Montgomery County, Pennsylvania, at the Narberth Borough Municipal Building, 100 Conway Avenue, Narberth, Pennsylvania, on Monday, August 11, 2014, commencing at 7:30 p.m., for Narberth Council Caucus Meeting.

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BOARD MEMBERS PRESENT:

SAMUEL QUINN, President
AARON MUDERICK, Vice President
ROBERT WEISBORD
ROBERT WEGBREIT

- - -

COUNSEL APPEARED AS FOLLOWS:

MARC JONAS, ESQUIRE
Solicitor for the Township

- - -

ALSO PRESENT:

THOMAS GRADY, Mayor
WILLIAM MARTIN, Borough Manager

- - -

TIM KUREK
OFFICIAL COURT REPORTER
(610) 278-3237

25 THE PRESIDENT: Here.

1 **NARBERTH COUNCIL MINUTES**

2 There being a quorum, we
3 shall continue.

4 Councilman Wegbreit, would
5 you care to lead us in the Pledge of Allegiance?

6 **MR. WEGBREIT:** Sure.

7 (Pledge of Allegiance.)

8 **THE PRESIDENT:** Before we
9 move onto consideration of the minutes, under
10 Item 4 of tonight's agenda, I'm going to report
11 that Council has received a resignation letter
12 from Councilman Michael Alexander dated July 14,
13 2014.

14 We'll ask that the letter be
15 made a part of the record and be made available
16 to Council and the public and we'll discuss it
17 later in matters of new business.

18 Next up, consideration of the
19 minutes of the July 14th, 2014, combined caucus
20 Council meeting.

21 Is there a motion to approve
22 those minutes?

23 **MR. MUDERICK:** So moved.

24 **THE PRESIDENT:** Is there a
25 second?

1 **NARBERTH COUNCIL MINUTES**

2 **MR. WEISBORD:** I'll second
3 that.

4 **THE PRESIDENT:** Is there any
5 discussion?

6 **MR. WEGBREIT:** Those are the
7 minutes that we got the transcript at this point?

8 **THE PRESIDENT:** They are.
9 Are you asking me? I don't know.

10 **MR. WEGBREIT:** Yeah. I just
11 want to confirm that that's the ones we're
12 talking about.

13 **MR. MUDERICK:** Yes.

14 **MR. WEGBREIT:** So I did want
15 to talk about the concept of transcripts versus
16 synthesized minutes versus -- so within the
17 context of approving minutes or not approving the
18 minutes, it's clearly not a part of the
19 discussion, but --

20 **THE PRESIDENT:** Why don't we
21 assign that to the Administration Committee to
22 look at again?

23 **MR. WEGBREIT:** Just so it's a
24 short-term, very different way of doing it right
25 now. I just want to make sure we're all

1 **NARBERTH COUNCIL MINUTES**

2 comfortable with that and what it represents.

3 **MR. MUDERICK:** It is not my
4 preference, it is not something I would like to
5 do long term, but I think for the moment, it's
6 expedient.

7 **THE PRESIDENT:** And given
8 tonight's agenda and a full room.

9 **MR. WEGBREIT:** Okay. I just
10 wanted to make sure we acknowledge that it's a
11 different way to go.

12 **MR. WEISBORD:** I have a
13 quickie, minor question about the current set of
14 minutes.

15 On Page 41, a statement was
16 attributed to Bob Wegbreit -- I mean, to me, that
17 was actually said by Bob Wegbreit, and I made
18 that -- I didn't hear back whether that
19 correction was made.

20 **THE PRESIDENT:** Why don't we
21 table it. I'm not sure what you're talking
22 about. Let's just table the minutes and leave
23 them unapproved.

24 Let the minutes reflect that
25 we're going to table the consideration of the

1 **NARBERTH COUNCIL MINUTES**

2 minutes from July.

3 I move to table.

4 **MR. MUDERICK:** Second.

5 **THE PRESIDENT:** All in favor
6 of table in consideration of the minutes?

7 **MR. WEISBORD:** Aye.

8 **MR. WEGBREIT:** Aye.

9 **MR. MUDERICK:** Aye.

10 **THE PRESIDENT:** Aye.

11 Okay. The minutes are
12 tabled.

13 Next up, No. 5, Reports: The
14 Mayor.

15 **THE MAYOR:** Thank you,
16 Council President.

17 With regard to -- we have
18 some members missing, and so August is a pretty
19 big vacation month.

20 If you decide to go on
21 vacation, tell your friends, tell your relatives,
22 tell your constituents to contact the police
23 department or contact me. We do these house
24 checks during the month of August and throughout
25 the whole year, in fact. The police will come

1 **NARBERTH COUNCIL MINUTES**

2 by, they'll drop a card, they'll check on the
3 house and property each day when you're gone.
4 It's a great service offered by the police
5 department. So if you can remember, pass the
6 word out. That's all I have to report tonight.
7 Thank you.

8 **THE PRESIDENT:** Thank you,
9 Mr. Mayor.

10 Does have anybody have any
11 questions or comments for him?

12 (No response.)

13 **THE PRESIDENT:** Next up, we
14 have the library report. I do not see Ms. Waters
15 here, so I shall abbreviate.

16 Science in the Summer was
17 very successful. Children taught chemistry by
18 Mr. Maxwell. Both sessions were full and we had
19 a teen volunteer.

20 All the children of events
21 are well attended, between 25 and 40 children,
22 and parents in attendance.

23 Group patrons and friends
24 attended the Phillies game this past Saturday
25 night as a fundraiser and social gathering.

1 **NARBERTH COUNCIL MINUTES**

2 I ask that the report of the
3 library be accepted and submitted and be made
4 available to Council and public.

5 Next up, we have the
6 treasurer report.

7 Let me move on just with the
8 trial balance of three thirty-nine eight
9 twenty-nine seventy-one matches the Borough
10 manager ledger balance as well, and I don't
11 have -- here we go. We're going to put the
12 treasurer report aside for a moment.

13 I'll move onto the tax
14 collector report. For Borough real estate taxes,
15 the collection rate is just over 97 percent.
16 That's the same for solid waste and sewer.
17 County taxes have been collected at just over
18 97 percent, and the school taxes are only in at
19 seven percent, but I understand they just went
20 out.

21 Mr. Jonas, your next up. Is
22 there a solicitor report?

23 **MR. JONAS:** No, there is not.

24 **THE PRESIDENT:** Mr. Martin,
25 do you have a Borough manager report?

1 **NARBERTH COUNCIL MINUTES**

2 Anybody have any questions or comments?

3 (No response.)

4 **THE PRESIDENT:** Moving along
5 to Agenda Item No. 6, reports of the Standing
6 Committee and Finance Committee.

7 Vice-president Muderick.

8 **MR. MUDERICK:** Give me a
9 moment, sorry. I do not have the reports. I
10 have an Ordinance for the general obligation
11 note.

12 **MR. MARTIN:** You should
13 have -- that's it.

14 **MR. MUDERICK:** Council
15 members, it is with pleasure the Finance
16 Committee submits the schedule of bills dated
17 July 14th, 2014, and approves the same. The
18 bills are summarized by classification as
19 follows: Administration, \$52,893; Public Safety
20 \$58,600; Health and Welfare: Sanitary Sewer,
21 \$6,606; Solid Waste: Trash and Recycling 38,544;
22 Highway, \$50,677; Property and Recreation:
23 \$103,487; zero dollar for Refund Aggressions;
24 zero in Snow Emergency, zero in Investments; Debt
25 Service, \$4,007; Capital Outlay, \$5,500;

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NARBERTH COUNCIL MINUTES

2 Miscellaneous, zero -- for a general fund total
3 of \$320,317.08. Highway Aid Fund total
4 \$4,240.18.

5 **THE PRESIDENT:** Do we have a
6 motion to pay the bills?

7 **MR. WEISBORD:** I move that
8 the report of the Finance Committee be accepted
9 as read, the schedule of bills be approved by
10 Council, that the Treasury be authorized to draw
11 checks and payment of these bills to be approved
12 by the president of Council, attested by the
13 Borough secretary, and that all bills be paid.

14 **THE PRESIDENT:** Is there a
15 second?

16 **MR. WEGBREIT:** Second.

17 **MR. MUDERICK:** Any other
18 discussion?

19 **THE PRESIDENT:** Anybody else
20 have any comments?

21 (No response.)

22 **THE PRESIDENT:** All those in
23 favor of paying the bills as authorized by the
24 Finance Committee motion, please signify by
25 saying aye.

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NARBERTH COUNCIL MINUTES

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MR. WEISBORD: Aye.

3

MR. WEGBREIT: Aye.

4

MR. MUDERICK: Aye.

5

THE PRESIDENT: Aye.

6

Any opposed?

7

(No response.)

8

THE PRESIDENT: Motion

9

carries. You will pay the bills.

10

Do you have anything else,

11

Aaron?

12

MR. MUDERICK: Yeah. We are

13

going to -- do you want to do the general

14

obligation note now or do you want to wait until

15

public comment?

16

MR. MARTIN: Yeah, you can do

17

it now. Discussion would be good at this time.

18

MR. MUDERICK: Okay. Council

19

members, the members of the Finance Committee

20

recommend the acceptance of the proposal

21

submitted by Customers Bank in the amount of

22

\$500,000. I have a letter here. It describes --

23

well, let's get it on the table.

24

Do we have a second?

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MR. WEISBORD: Second.

NARBERTH COUNCIL MINUTES

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MR. MUDERICK: This is an

offer from Customers Bank, which was the only

bank to respond to our request for financing.

Bill, how many requests did

we put in?

MR. MARTIN: About five, plus

we used an outside agent as well.

MR. MUDERICK: Right.

MR. MARTIN: Which we used in

the past.

MR. MUDERICK: Flexible for a

term of up to ten years and it has two options

with interest rates ranging between 2.25 and

2.35 percent, depending on exactly how the money

is borrowed, with an interest rate that floats at

prime plus .65 percent.

MR. WEGBREIT: This is capped

at five and a quarter.

MR. MUDERICK: It caps at

five and a quarter.

MR. MARTIN: We are

recommending just the seven years, which is what

our original determination had been when we were

originally looking for the \$700,000. But with

NARBERTH COUNCIL MINUTES

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2 the monies that we had received from the Rockland
3 Avenue bridge, that allowed us the opportunity to
4 significantly reduce the outside debt service
5 down to 500,000. But they would still go with us
6 at almost the same rate for the seven-year
7 period, which has a very, very nice effect on the
8 2015, '16, '17, and '18.

9 **MR. MUDERICK:** I'm sorry. I
10 misspoke. It is not prime plus .65. It is 65
11 percent of prime.

12 **MR. MARTIN:** Yes. The going
13 rate, prior to this, our last general obligation
14 note, and we have done many of our roadway
15 resurfacing projects in that manner, were coming
16 in at half of prime plus one. So this is a
17 significantly strong submission for us.

18 **MR. MUDERICK:** That's my two
19 cents. Maybe I could go over what the funds will
20 be used for before we vote.

21 **MR. MARTIN:** Absolutely.

22 **MR. MUDERICK:** Is this
23 resolution separate?

24 **MR. MARTIN:** That resolution
25 is separate. The introduction that you have in

NARBERTH COUNCIL MINUTES

1
2 the title of the Ordinance, we specifically had
3 that broken down.

4 **MR. MUDERICK:** All right.

5 The monies will be used to finance certain
6 capital projects of the Borough including, A, the
7 planning design and construction related to the
8 repair and renovation of the North Narberth
9 Avenue bridge; B, improvements and renovations to
10 the terrace at the Narberth library; C, removal
11 of the Rockland Avenue bridge; D, resurfacing of
12 Hampton Avenue, the three hundred block, which is
13 currently unpaved; E, the greening of Windsor
14 Avenue; and F, paying the costs and expenses of
15 issuing the note. That is what the money will be
16 spent for. But the acceptance of the proposal is
17 separate from the adoption of the Ordinance?

18 **MR. MARTIN:** That is correct.

19 **MR. MUDERICK:** All right.

20 I'll put one to the side. So on the table is
21 acceptance of proposal, and I have no further
22 discussion.

23 **THE PRESIDENT:** You made the
24 motion.

25 **MR. MUDERICK:** Yes. The

1 **NARBERTH COUNCIL MINUTES**

2 **MR. WEGBREIT:** Okay. I
3 wanted to verify. That's all.

4 **MR. JONAS:** Procedurally, I
5 sent an e-mail around to Bill earlier today. I
6 think this originally intended to be introduced
7 today. But the Council could enact, pass the
8 Ordinance today. It's been advertised. It was
9 contemplated that it would be enacted today. If
10 we postpone it, you know, typically bifurcate the
11 introduction and action the next month, it will
12 cost the Borough some additional monies. The
13 manual procedure allows the Borough Council to
14 act on it tonight once it's introduced. So
15 that's actually our recommendation that you pass
16 the Ordinance tonight.

17 **THE PRESIDENT:** Any further
18 questions or comments?

19 (No response.)

20 **THE PRESIDENT:** All those in
21 favor of approving the motion of the Finance
22 Committee for a \$500,000 general obligation note,
23 please signify by saying aye.

24 **MR. WEISBORD:** Aye.

25 **MR. WEGBREIT:** Aye.

NARBERTH COUNCIL MINUTES

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2 \$500,000 is being supported by a grant awarded to
3 Narberth Borough to improve the East Branch of
4 Indian Creek Stormwater Management Initiative.
5 So we will be spending \$165,000 for the terrace
6 and for the greening of Windsor Avenue. And the
7 National Fish and Wildlife Foundation will be
8 granting us \$26,000 towards the library terrace
9 and \$120,000 granted towards the Windsor Avenue
10 project, 15,000 granted to Narbrook Park and an
11 additional 18,000 for the Lower Merion
12 Conservancy to administer the greening project,
13 for a total grant amount of \$179,000. I think
14 that's a good deal for us. Thank you. Thank you
15 for all your work on that.

16 **MR. MARTIN:** I must admit
17 that I stole some of the very, very fine
18 terminologies on the part of the resolution from
19 Ms. Patty Thompson, who's sitting in the back
20 row, who represents the Lower Merion Conservancy.

21 **MR. MUDERICK:** Thank you.

22 **THE PRESIDENT:** Aaron, to
23 finish up this note, I'm going to need two
24 motions.

25 **MR. MUDERICK:** Later.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. JONAS:** Well, do one now,
3 finish it off, since you're on the topic.

4 **MR. MUDERICK:** Okay.

5 **THE PRESIDENT:** A motion to
6 introduce the Ordinance, followed by a motion to
7 pass the Ordinance.

8 **MR. MUDERICK:** Okay. Let me
9 finish with this.

10 So do we need a motion, Bill,
11 for you to sign this?

12 **MR. MARTIN:** Yes. A motion
13 to approve the resolution.

14 **MR. MUDERICK:** So before we
15 get to those two, I'm sorry, because I'm in the
16 middle -- we have a lot of motions tonight.

17 I move that Council approve
18 the acknowledgment of the grant awarded to
19 Narberth Borough for the East Branch of the
20 Indian Creek Stormwater Management Initiative.

21 **MR. WEISBORD:** Second that.

22 **THE PRESIDENT:** Any
23 discussion?

24 **MR. WEGBREIT:** I want to
25 thank Patty and Todd, Heidi Boyd, Richard Diaz,

NARBERTH COUNCIL MINUTES

2 who worked on this because it's a great project
3 for the region and Narberth. So to get this type
4 of funding in such a tight time format is very
5 impressive, so thank you.

6 **THE PRESIDENT:** And I think
7 Council would also join in on Mr. Wegbreit's
8 congratulations. Thank you.

9 MR. MUDERICK: Yes.

THE PRESIDENT: All in favor
of the resolution from Vice-president Muderick
regarding the East Branch of Indian Creek, please
signify by saying aye.

14 MR. WEISBORD: Aye.

15 MR. WEGBREIT: Aye.

16 MR. MUDERICK: Aye.

17 THE PRESIDENT: Aye.

18 Any opposed?

19 (No response.)

20 THE PRESIDENT: Motion
21 carries unanimous.

22 Back to the Ordinance.

23 **MR. MUDERICK:** So what's the
24 first thing?

25 **MR. JONAS:** A motion to

NARBERTH COUNCIL MINUTES

2 introduce the Ordinance in the typical fashion.

3 Once that passes, a motion to enact.

4 **MR. MUDERICK:** Council
5 members, I move that we introduce Ordinance No.
6 973.

7 **MR. JONAS:** Just say it's
8 available as part of the record and available to
9 the public.

10 **MR. MUDERICK:** The title of
11 which is available as part of the record and
12 available to the public.

[illegible]

15 MR. WEGBREIT: Second.

16 THE PRESIDENT: Any
17 discussion?

18 (No response.)

19 **THE PRESIDENT:** All in favor
20 of approving the motion to introduce Ordinance
21 973, please signify by saying aye.

22 MR. WEISBORD: Aye.

23 MR. WEGBREIT: Aye.

24 MR. MUDERICK: Aye.

25 THE PRESIDENT: Aye.

1 **NARBERTH COUNCIL MINUTES**

2 Any opposed?

3 (No response.)

4 **THE PRESIDENT:** Motion

5 carries unanimous.

6 Next up, the motion to pass

7 the Ordinance.

8 **MR. MUDERICK:** Council

9 members, I move that we adopt Ordinance No. 973.

10 **THE PRESIDENT:** Do we have a

11 second?

12 **MR. WEISBORD:** I'll second

13 it.

14 **THE PRESIDENT:** Any

15 discussion?

16 (No response.)

17 **THE PRESIDENT:** All those in

18 favor of passing the motion Ordinance 973, please

19 signify by saying aye.

20 **MR. WEISBORD:** Aye.

21 **MR. WEGBREIT:** Aye.

22 **MR. MUDERICK:** Aye.

23 **THE PRESIDENT:** Aye.

24 Any opposed?

25 (No response.)

1 **NARBERTH COUNCIL MINUTES**

2 **THE PRESIDENT:** Motion
3 carries unanimous.

4 Does that finish with
5 finance?

6 **MR. MUDERICK:** One last
7 thing. We received our results of our audit, and
8 there is nothing of consequence to report. The
9 books are in order.

10 **THE PRESIDENT:** That's good.
11 Now, with Council's
12 indulgence, I was going to skip up to the
13 Building and Zoning Committee as we have several
14 members of the public that are here regarding
15 issues regarding that. Does anybody have any
16 problem?

17 **MR. MUDERICK:** That's fine.

18 **MR. WEISBORD:** Thank you, Mr.
19 President. It's a pleasure that your Building
20 and Zoning Committee submitted the report for the
21 month of July 2014. We have no update from last
22 month on the Form-Based Code. It's continuing on
23 track, and we have submitted a draft to the
24 Council and public in September for the
25 Montgomery County Planning Commission.

NARBERTH COUNCIL MINUTES

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We have tonight in the audience the developer and attorney of the St. Margaret's school, the Forest Avenue project. And we have a motion to grant a waiver for the old St. Margaret's school.

I think this topic warrants a little bit of discussion just for clarification of what's going on over the last month. The applicant came to the Building and Zoning Committee on June 30th with a document, this document here, that actually specified a great number of details related to the masonry, the garage linked to a fence, the lighting, the trees, the boundary plantings, and the garage door. The Building and Zoning Committee reviewed these with the applicant, and it basically was a lot of good to us. So we felt we could recommend that portion to the Council for approval.

The other outstanding issues, primarily some issues surrounding stormwater management that were handled by the solicitor and the Borough engineer, and the window details, which were managed by the Building and Zoning Committee.

NARBERTH COUNCIL MINUTES

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2 So, as for the window
3 details, we were able to hammer those out with
4 Mr. Moser's cooperation and great interest in
5 helping us to get the result that many people in
6 the community who care about the kind of
7 historical look of things appreciate. So we now
8 have -- it appears that the facade looks good,
9 and the Building and Zoning Committee is ready to
10 recommend approval of that element of this
11 motion.

12 So that leaves finally the
13 stormwater management issue. And also, I guess
14 something that seems to have popped up more
15 recently, an issue that the Borough engineer
16 brought to our attention around the zoning for
17 the loading area on the property, and I would
18 like to ask Mr. Jonas if he could address that
19 issue.

20 **MR. JONAS:** Sure. There have
21 been actually two formal reviews by the Borough
22 engineer on this application -- one dated
23 May 9th, the other one dated June 2nd. And both
24 of those review letters, the Borough engineer
25 pointed to Section 124-55.4, that essentially

NARBERTH COUNCIL MINUTES

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2 says that you need either inside a building or
3 outside a building a sufficient loading area. So
4 those were both part of the Borough engineer's
5 reviews.

6 And then the issue became
7 more and more into focus as we were honing the
8 draft approval resolution, which we were
9 circulating to the applicant, the applicant's
10 counsel, and to members of Building and Zoning
11 Committee. It sort of comes down to the fact
12 that the plans don't show a loading area. And my
13 understanding is, from my partner who spoke to
14 Ross Weiss today, there is not adequate area
15 inside the building in terms of maneuver ability
16 for a loading area. And that leaves a question
17 as to whether there's sufficient area outside the
18 building and has to be within the confines of the
19 property itself, and that's the lot which has the
20 school building, a sufficient loading area. And
21 there was a proposal to utilize the driveway, and
22 late this afternoon, the Borough engineer, who's
23 the one best suited to make the factual
24 determination as to whether the loading area is
25 adequate, he came in, weighed in with copies to

NARBERTH COUNCIL MINUTES

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2 everybody saying he did not think that the
3 driveway would qualify as a sufficient loading
4 area.

5

So right now we have an
6 outstanding zoning issue. So when first leveled
7 the question is, will there be a loading area
8 that's sufficient, and that would be determined
9 by the Borough engineer?

10

If they cannot provide that,
11 and this could be a condition of approval and
12 that's the way it's worded, if they can't provide
13 a loading area either into going or outside the
14 building on the property that is sufficient for
15 the opinion of the Borough engineer, then there
16 would be no alternative to request a variance
17 from the Zoning Hearing Board.

18

It's a questioning of
19 essentially of both law and fact. It's not a
20 zoning required. It's not encompassed by the
21 conditional use ordinance which relates to use.
22 This is one of those freestanding zoning
23 requirements that the Borough Council can't waive
24 or forgive or overlook, and that's kind of where
25 we are.

1 **NARBERTH COUNCIL MINUTES**

2 So, legally, there's a zoning
3 issue relating to the loading area. And,
4 factually, the Borough engineer is saying that
5 what was proposed utilizing the driveway would
6 not suffice as a sufficient loading area. That's
7 the issue.

8 **MR. WEGBREIT:** Does that mean
9 because it's a multi-unit building?

10 **MR. JONAS:** Narberth Borough
11 Code simply says that the regulation with respect
12 to loading and unloading spaces shall be as
13 follows: In addition to the parking space
14 required in Section 124-55.2, sufficient area
15 shall be provided inside or outside the principal
16 building for the loading and unloading of
17 vehicles.

18 And remember, the building
19 exists in terms of setbacks and all, but the use
20 is changing. So, in my opinion, that provision
21 applies, and either they comply or they would
22 need a variance from it. And I'm not saying
23 there wouldn't be, perhaps, a good argument for
24 the grant of a variance given the existing
25 conditions of the building, but it's a zoning

1 **NARBERTH COUNCIL MINUTES**

2 requirement that has to be addressed.

3 Again, this issue was raised
4 in both of the official review letters from the
5 Borough engineer beginning on May 9th.

6 **MR. WEISBORD:** So the
7 Building and Zoning Committee is here tonight
8 prepared to recommend this motion for approval,
9 including the land which that I think covers this
10 issue of the loading area. It says the location
11 of the loading area on the property -- the
12 submission of the revised plans to the
13 satisfaction of the Borough engineer that will
14 include the location of the loading area on the
15 property. So that leaves the applicant to work
16 that issue out with the Borough engineer in order
17 to seek a variance.

18 **MR. MUDERICK:** And that takes
19 it off our table and we can approve it.

20 **MR. WEISBORD:** Yeah. It's
21 not for us to do anything.

22 **MR. JONAS:** Yes. The
23 language was worded exactly, correct, to give the
24 applicant a chance to work it out, and if not,
25 the route would lead to the Zoning Hearing Board.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. WEISBORD:** Are there any
3 questions from the Council? Should we ask if
4 there are any questions --

5 **MR. WEGBREIT:** On that topic
6 or --

7 **MR. WEISBORD:** On this topic.

8 **MR. WEGBREIT:** I want to make
9 sure, and I'm pretty sure based on back and forth
10 that you and Bob had, the seepages were
11 comfortable, that the stormwater management are
12 at a level that the Borough engineer recommended.

13 **MR. JONAS:** Ultimately, the
14 applicant agreed to comply with the requirements
15 and request of the Borough engineer. That
16 language is in the motion as well.

17 **MR. WEISBORD:** Good.

18 **MR. JONAS:** We had some back
19 and forth on that, but, ultimately, it was we'll
20 comply and we tweaked the language accordingly.

21 **MR. WEGBREIT:** Thank you.
22 That's a very important aspect for this
23 community.

24 I'll leave it to you,
25 Mr. President, if you want to entertain questions

1 **NARBERTH COUNCIL MINUTES**

2 from the public or the applicant.

3 **THE PRESIDENT:** We can put
4 off on holding the -- well, I'll ask the
5 applicant to address.

6 **MR. JONAS:** Yes.

7 **THE PRESIDENT:** Mr. Weiss, do
8 you have something to address?

9 **MR. WEISS:** Thank you very
10 much. I very much respect Marc Jonas's opinion.
11 I respect Andrew Pockl. I've spoken to both of
12 them. I spoke to Andrew this afternoon. He
13 called me at 6:00 o'clock tonight. And with all
14 respect, I disagree with the position that's been
15 presented to you on this issue for the following
16 reasons: The section of the Code that Marc read
17 to you says that there has to be sufficient area
18 for loading of vehicles. It does not talk about
19 what kind of vehicle. It does not identify what
20 the sufficient area should be, in your Zoning
21 Ordinance, as you say what the size of parking
22 spaces have to be. But in this situation, there
23 is a serious ambiguity in the Ordinance that the
24 law is, in my opinion, has to be read against the
25 municipality.

NARBERTH COUNCIL MINUTES

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We are not saying that there is no loading area. We're saying that you have the driveway. The reason that you can't load or unload in the building is because with the entrance, there will be a seven, seven-and-a-half foot height. So a vehicle that would be higher than that would not be able to get in. So there's no loading of any kind of a truck.

This school has never had a loading area that would be, quote/unquote, sufficient in the opinion of either the engineer or the Borough solicitor.

So I'd like to hand out to you a letter that Bill Martin gave to us last December.

And one thing that I'm very careful about in representing my clients in these land use matters is it's one thing for me to give my opinion of what zoning relief is needed, but the most important opinion comes from the Borough. And we met with the Borough solicitor, we met with the Borough manager/zoning officer, the plans were submitted, and before we submitted our zoning application, we asked that certain

NARBERTH COUNCIL MINUTES

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2 things be acknowledged as legally nonconforming.

3

And in this situation, Bill

4

Martin wrote us this letter December 24th, of

5

last year, and said, The Borough of Narberth has

6

determined as legally nonconforming as to lot

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width as to lot area, as to building area, as to

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front yard, side yard, impervious surface,

9

building height, and parking. The property is

10

constrained. It's constrained on the sides, it's

11

constrained in the front and back, the area is

12

constrained, the impervious coverage. And in our

13

opinion, this issue of a loading area for a

14

location that never had a loading area is a legal

15

nonconformity.

16

And with all respect to you,

17

while I appreciate the engineer's opinion, I

18

believe that a logical way to deal with this

19

issue, which we have been working on this project

20

now for over a year and anxious to settle with

21

the church, give the church its money and move

22

forward with the project, is not -- not to make

23

us go to the Zoning Hearing Board and apply for

24

relief that no one pointed out until the engineer

25

did his review was necessary. But separate and

1 **NARBERTH COUNCIL MINUTES**

2 apart from his review is whether the area is
3 sufficient.

4 Now, while it may not be
5 sufficient to the maximum, the driveway certainly
6 is sufficient for some amount of loading.

7 The width, the engineer sent
8 us an e-mail this afternoon, where he said
9 that --

10 **THE PRESIDENT:** Mr. Weiss, if
11 I could interrupt briefly. We're not going to
12 reach this issue tonight. You agree with that;
13 correct?

14 **MR. WEISS:** No.

15 **THE PRESIDENT:** We're not
16 going to resolve it.

17 Your issues are preserved for
18 a remedy down road. And I believe it's the hope
19 and the language in this contains an agreement
20 can be worked out with the Borough engineer. So
21 I think talking forward about any hope for a
22 variance, I think would be premature, unless I'm
23 hearing it wrong.

24 **MR. WEISS:** All we're asking
25 you to do is to adopt the resolution, but to

1 **NARBERTH COUNCIL MINUTES**

2 delete the requirement that we have to either
3 provide a loading area or go to the Zoning
4 Hearing Board for a variance.

5 **THE PRESIDENT:** Let me speak
6 to the building and zoning. Is that something
7 you can consider down the road, not tonight, or
8 if you're ready to give an answer --

9 **MR. WEISBORD:** It's my
10 understanding that, as Council, it's not our
11 jurisdiction. So this would be. It sounds to me
12 like a very sensible argument that the applicant
13 is making.

14 Sure. There are many
15 four-family homes in Narberth that don't have a
16 loading area per se, and there's many
17 nonconformances like this and they exist. So it
18 sounds to me like a good argument for the Zoning
19 Hearing Board. My understanding it's not our
20 jurisdiction. It's not for us to make, to waive
21 this particular requirement.

22 **THE PRESIDENT:** Let me see if
23 I can cut to the chase. Why don't you put your
24 proposal in what you want us to do in writing to
25 Mr. Jonas and then they can consider it.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. JONAS:** The problem is
3 that the motion for approval, which is what the
4 applicant wants, is ready for action tonight, and
5 that motion includes an interpretation, you know.

6 **THE PRESIDENT:** Is he bound
7 by that interpretation?

8 **MR. JONAS:** He's going to be
9 bound by it, because it's the terms of the
10 approval.

11 The other thing is that the
12 zoning officer and the building official would
13 be -- if this went down the line and then they
14 ask for a building permit, the building code
15 official would be, I think, within proper bounds
16 to deny a building permit, because it's an
17 outstanding zoning issue.

18 And what they could do is
19 submit plans -- see, one of the problems is that
20 despite the heads up from the Borough engineer's
21 review there have never been plans submitted
22 showing a sufficient loading area. So what they
23 could do now is submit plans to the zoning
24 officer, and the zoning officer would, upon the
25 advice of the Borough engineer, make a

NARBERTH COUNCIL MINUTES

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2 determination as to what's being proposed is
3 sufficient or not. And if it is adverse to the
4 applicant, the applicant can then appeal that
5 determination to the Zoning Board on two grounds:
6 One, to appeal saying the zoning officer did
7 something wrong, and in the alternative ask for a
8 variance.

9

We simply disagree with Ross,
10 because I think the nonconforming aspect of the
11 church building, in terms of loading, has nothing
12 to do. If this were changed into a gas station,
13 nobody would suggest because it was nonconforming
14 as a church school in terms of loading that that
15 carries forth with every change in use.

16

I think the motion is
17 appropriate and legally correct, and that's what
18 I would say to Council.

19

MR. WEISS: Can I make one
20 more factual point? The engineer's e-mail this
21 afternoon, he went to another code, because it's
22 not in your Code what is sufficient. And he said
23 that it's customary that the loading area be
24 eight feet wide, and he agreed that ours was 14
25 feet wide. He then said that it would be

NARBERTH COUNCIL MINUTES

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2 customary to have a 30-foot length, and our
3 length is 16 or 22 feet, whether you include the
4 right-of-way.

5 So my point is, what's
6 sufficient is not defined in your Zoning
7 Ordinance. And we should not have to go to the
8 Zoning Hearing Board under these circumstances
9 when all these other legal nonconformities were
10 recognized to get the Zoning Hearing Board's
11 decision. And I disagree. I think that is the
12 elected officials' decision.

13 **THE PRESIDENT:** But as we sit
14 here right now, there's a pending motion on the
15 table. So either the motion is going to be
16 withdrawn and you're not going to get anything or
17 you're going to take the conditional one if it
18 gets approved. Is that an accurate statement?

19 **MR. JONAS:** That's correct.
20 My recommendation is that the motion is
21 appropriate for action in its present form. And
22 I think the applicant should get the approval and
23 then work this out.

24 **MR. WEISS:** There's no way to
25 work it out.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. JONAS:** With all due
3 respect, Ross, you had a heads up about this
4 since early May, and you shouldn't have let it
5 linger.

6 **MR. WEISS:** There were other
7 things that were raised in the Borough engineer's
8 letter where he pointed out that there were other
9 zoning issues; he said no relief was granted, and
10 the Borough acknowledged and recognized that they
11 were legally nonconforming. If you read the
12 letter that I just gave to you, there are seven
13 or eight nonconformities.

14 Now, if the lot is not wide
15 enough and it doesn't have enough setbacks, where
16 are you going to put a loading area? Isn't the
17 logical next step that the loading area is
18 legally -- that issue is legally --

19 **MR. JONAS:** Not once you
20 change the use, Ross.

21 **MR. WEISS:** The change in use
22 would be different if the use before did not
23 require a loading area. A school requires a
24 loading area far more so than does a four-unit
25 apartment building of modest size. The school

NARBERTH COUNCIL MINUTES

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2 that had a lot of kids coming to it and needed a
3 lot of supplies needed a loading area far more
4 importantly than does this proposed use, and
5 that's my point.

6

I'm just asking you to be
7 logical. And I'm asking you to recognize that we
8 are on the cusp here. We have a contract with
9 the church. The church cannot afford to maintain
10 this property. The representatives of the church
11 are here tonight. And what's going to happen if
12 we have to spend another three to four months to
13 try and get zoning relief, and we don't know
14 whether we'll get the zoning relief. This
15 building is likely to be demolished. And your
16 Ordinance was intended to save these buildings.
17 And this requirement for loading, because we're
18 being so particular about a section in the
19 Ordinance that is ambiguous when it uses the word
20 "sufficient" is really contrary to what you
21 wanted to accomplish when you said we'll grant
22 special exceptions to change the use.

23

And I'm told that the
24 Methodist church, which is a similar situation
25 does not have a loading area. So it's not the

NARBERTH COUNCIL MINUTES

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2 end of the world. And I think you have the right
3 and I think you have the obligation to deal with
4 this issue and not just say it's a zoning issue.

5

MR. WEISBORD: What I would
6 like to do tonight Council members is actually,
7 enthusiastically endorse this motion to grant the
8 preliminary subdivision/land development and
9 approval for this project and recognize that the
10 applicant is making a very cogent and good -- I
11 think a reasonable argument.

12

MR. MUDERICK: Let me second
13 the motion.

14

MR. WEISBORD: You can second
15 the motion, and then we're going to have a
16 discussion about it.

17

MR. MUDERICK: I second the
18 motion.

19

THE PRESIDENT: Is there any
20 further discussion on the seconded motion?

21

MR. WEISBORD: Yes. So then
22 I would like to have a little discussion. I
23 agree with the applicant's argument. There
24 are -- this project is constrained by existing
25 conditions. And I don't believe it's the

NARBERTH COUNCIL MINUTES

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2 Council's job to make this particular judgment.

3 I do think it's within -- I do think it's

4 something that the Borough engineer can make a

5 determination on when the Borough engineer has

6 the plans to evaluate. And it sounds to me like

7 the Borough engineer doesn't have plans.

8 **MR. WEGBREIT:** He does.9 **MR. JONAS:** The only thing he

10 had and what he weighed in on today was during

11 the process, the Borough engineer said that the

12 applicant changed its opinion as to where the

13 loading area was going to go. And then today, as

14 this issue focused on, we were advised that it

15 won't be inside, because there's no maneuvering

16 room. It will be outside utilizing the driveway.

17 I included the Borough engineer in that exchange

18 of e-mails, and then he sent an e-mail saying use

19 of the driveway, in his opinion, won't be

20 sufficient, and that's how it ended up. That's a

21 factual expert opinion; that is the purpose of

22 the Borough engineer. I mean, that's not a legal

23 question as to whether it's sufficient. And he

24 makes that call because he's looking at turning

25 radii and ingress and egress all the time as part

1 **NARBERTH COUNCIL MINUTES**

2 of his charge.

3 **MR. WEISBORD:** So the
4 applicant has another opportunity to discuss this
5 with the Borough engineer; is that correct?

6 **MR. JONAS:** Yes.

7 **MR. WEISBORD:** And then if
8 that conversation isn't satisfactory, they could
9 both apply for a variance and appeal to --

10 **MR. JONAS:** The Zoning Board.

11 **MR. WEISBORD:** -- Council.

12 And once again Council could take a motion.

13 **MR. JONAS:** And Council could
14 take a position in support of the application
15 before the Zoning Board as well. And an
16 application to the Zoning Board could take place
17 within 30, 35 days.

18 **MR. WEISBORD:** Thirty-five
19 days, okay.

20 **MR. WEGBREIT:** I'm trying to
21 understand. Is the engineer saying it doesn't
22 fit within zoning or it doesn't work with the
23 engineering?

24 **MR. JONAS:** He's saying from
25 a, quote, sufficiency standard, it's not

1 **NARBERTH COUNCIL MINUTES**

2 sufficient.

3 **MR. WEISS:** Don't you see the
4 irony of the --

5 **THE PRESIDENT:** We get it.

6 **MR. WEISS:** Wait. Don't you
7 see the irony.

8 **MR. JONAS:** No, Ross. When
9 he says he gets it, then you have to sit down.

10 **MR. WEISS:** No. Before you
11 were saying it's insufficient. The zoning relief
12 doesn't solve the factual problem.

13 **MR. JONAS:** Please defer to
14 the Chair.

15 **THE PRESIDENT:** Please sit.
16 We're having a conversation among the Council. I
17 get your argument. It's void for vagueness.
18 Continue.

19 **MR. JONAS:** That's the point.
20 That's the function of the Borough engineer, and
21 he's giving his opinion on that, and I think we
22 need to rely upon that.

23 **MR. WEGBREIT:** We don't have
24 the right to change it. So if we passed it under
25 Ross's suggestion, it still wouldn't be valid, it

1 **NARBERTH COUNCIL MINUTES**

2 wouldn't necessarily go through, because the
3 zoning officer --

4 **MR. MUDERICK:** This is my
5 question to Marc.

6 **MR. WEGBREIT:** Yeah. That's
7 the issue.

8 **MR. JONAS:** That's an
9 excellent point. The zoning officer could
10 essentially overrule Council.

11 **MR. MUDERICK:** If we were to
12 amend this motion to remove Section 2A, which
13 describes the loading area, to pass it, where all
14 of the conditions that need to be submitted to
15 the satisfaction of the Borough engineer are
16 things that we have previously agreed on, then
17 what happens? What happens if we remove Section
18 2A and we pass this motion?

19 **MR. WEISS:** Can we do --

20 **THE PRESIDENT:** This is up
21 here, Ross. Thanks.

22 **MR. JONAS:** I'd be concerned
23 that after this discussion, that they would have
24 an argument saying that it had no longer been
25 preserved. I think it's important to preserve

NARBERTH COUNCIL MINUTES

2 the issue in the motion.

3 **MR. MUDERICK:** So say that in
4 another way.

5 **THE PRESIDENT:** Preserving
6 the issue for who? For the Borough?

7 **MR. JONAS:** Preserving the
8 issue for the Borough later on.

9 I mean, I'm concerned that,
10 and so would be the Borough engineer, that you
11 would have a project within a loading area that
12 isn't adequate, that's not sufficient.

13 **THE PRESIDENT:** In other
14 words, they would have the permission to go ahead
15 and do something that you might later say, why
16 did we do that?

17 **MR. MUDERICK:** On the
18 property or another property.

19 MR. JONAS: Correct.

20 **THE PRESIDENT:** Wait. On
21 this property.

22 **MR. MUDERICK:** On this
23 property, but also a case for us not dealing with
24 this issue moving forward.

25 THE PRESIDENT: Moving

NARBERTH COUNCIL MINUTES

2 forward?

MR. MUDERICK: Correct.

4 MR. WEGBREIT: In the
5 conditional use Ordinance, to move this thing to
6 the table in the first place, is there anything
7 within that that requires them to continuously
8 use that as a residential property? I'm just
9 thinking that one of our big concerns is if it
10 was a changed use down there -- of course, it
11 probably won't, but still have to keep that in
12 context -- is there anything because of the
13 zoning relief that they're getting from the
14 overall conditional use ordinance, doesn't that
15 require them to maintain that as residences?

16 **THE PRESIDENT:** I think it's
17 adaptive reuse ordinance.

18 MR. WEGBREIT: Adaptive
19 reuse, thank you.

20 **THE PRESIDENT:** Just so we're
21 clear.

22 MR. WEGBREIT: Exactly.

23 **MR. JONAS:** If they move
24 forward with that approval --

25 MR. WEGBREIT: It binds them.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. JONAS:** It binds them to
3 the extent that you want to move forward with
4 that adaptive reuse.

5 **MR. WEGBREIT:** I know we were
6 dealing with another issue where the condo
7 agreement was able to control a certain aspect of
8 a totally different project.

9 **MR. JONAS:** Well, we took
10 care of the architectural easement by way of
11 condo document. That's built into the Ordinance,
12 too.

13 **MR. WEGBREIT:** And is there
14 anything that can be done?

15 **MR. JONAS:** Well, the
16 Ordinance, in hindsight, the Ordinance could have
17 looked at the issue, but nobody raised it, at the
18 issue of loading areas on these old buildings
19 that have, you know, issues whether they were
20 nonconforming or not. But, as Bob said, we were
21 looking at the issue of the use and the
22 preservation of the facade and character, and
23 that's what the focus of the Ordinance was. We
24 weren't looking at some of the these operative
25 issues such as loading. It could have been

NARBERTH COUNCIL MINUTES

2 addressed in the Ordinance, perhaps, if it were
3 appropriate.

4 But, you know, here's another
5 question: Do you want to have -- I mean, this is
6 a municipality where there's lots of street
7 parking, narrow roads, and if you don't have a
8 loading area sufficient, this is residential
9 where people are moving out from time to time, if
10 you don't have a loading area, where's it going
11 to be? Is it going to be on the streets? You
12 have level parking on the street with vans and
13 things like that. I mean, there are some
14 operational issues that are important. That's
15 why the Ordinance requires loading and unloading
16 spaces.

17 **MR. MUDERICK:** But we could
18 at a future time and not limited to this project
19 amend that section of the Code.

20 **MR. JONAS:** Sure. Sure. You
21 have the legislative power to do that. But right
22 now, you don't have the legislative power or
23 jurisdiction to overlook the zoning requirement.
24 That's freestanding.

25 MR. WEISBORD: And there are

NARBERTH COUNCIL MINUTES

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2 several remedies that Council could look, pursue
3 at a later time if we chose to do that, both in
4 conditional use ordinance, but also to assign
5 loading areas in front of residential buildings
6 of greater than four units or something.

7 **MR. JONAS:** If you wanted to,
8 you could in the time frame probably equivalent
9 to a zoning application amend your Ordinance.
10 You need an amendatory ordinance and send it to
11 the Borough Planning Commission, the County
12 Planning Commission, and you could hold a hearing
13 within thirty days of or after thirty days from
14 the date of transmittal and enact it that night.
15 So you could amend your Ordinance if you wanted
16 to provide relief that way.

17 **THE PRESIDENT:** Now, the
18 fastest, and in what we've done in the past, I
19 think, is you brought up earlier where if it did
20 go to the Zoning Hearing Board and Council took a
21 position in favor of granting relief, I think you
22 estimated that to be, like, 30-, 35-day time
23 frame.

24 **MR. JONAS:** You have 30, 45
25 days. I mean, there's some post-development

NARBERTH COUNCIL MINUTES

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2 issues that we need to do here. There are plans
3 that have to be revised, there are agreements
4 we're going to have to do. But, you know, that
5 is all -- that is all going to be done concurrent
6 with either a zoning application or talking to
7 the zoning office and the Borough engineer or
8 resolving it from -- so I'm not frankly buying
9 the argument that we're jeopardizing the project
10 and it's going to be razed, you know, if you
11 don't provide variance relief tonight. We can
12 all -- that all can happen concurrently. But
13 there are post-approval issues that are going to
14 be addressing forthwith, and a zoning application
15 or resolving the zoning issue can concurrently
16 occur.

17 **MR. WEISBORD:** Is there more
18 discussion?

19 **MR. MUDERICK:** I would just
20 like to say that I agree with you, that I want
21 this project to move forward, and I think it's a
22 great project, and I think it's a great way to
23 preserve the character of the Borough, and I
24 would urge all parties involved in moving forward
25 with this vote to do what it takes to move

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NARBERTH COUNCIL MINUTES

2 forward as quickly as possible, because I think
3 continual delays that -- other, you know, things
4 that cause people to drag their feet are not
5 going to help this project and not help future
6 projects come to the Borough to help do the same
7 thing with other properties. My two cents.

8 **THE PRESIDENT:** Anybody else
9 in Council have any questions or comments?

10 **MR. WEGBREIT:** Did the
11 engineer have an alternative suggestion at the
12 time or it was just it doesn't work?

13 **MR. JONAS:** The engineer
14 weighed in only today because he heard that the
15 driveway, the loading -- I don't think anyone
16 knew where the loading area was going to be. But
17 we heard today it was going to be outside, and
18 then he waited and said in utilizing the driveway
19 it wasn't the answer. There really wasn't time
20 to look at alternatives. And I'm sure we could
21 ask the Borough engineer to try to work
22 cooperatively and see what some of the solutions
23 are. Maybe the applicant's engineer has
24 missed -- he did suggest even, perhaps, even an
25 easement and use of the adjacent property, which

1 **NARBERTH COUNCIL MINUTES**

2 is --

3 **MR. WEGBREIT:** St. Margaret's.

4 **MR. JONAS:** Yeah.

5 **THE PRESIDENT:** Let's get the
6 Borough engineer --

7 **MR. JONAS:** Everybody wants
8 this to work. There's just a little glitch here.
9 And, again, you know, had the applicant, you
10 know, as of June 9th, when the first review
11 letter had come in, taken a look at this issue
12 and addressed it with the Borough engineer or
13 with the zoning officer, it would have been
14 resolved by now.

15 **THE PRESIDENT:** We don't need
16 to go there. To move forward --

17 **MR. MOSER:** Can I make a
18 statement since I'm the owner of the property?

19 **THE PRESIDENT:** Not right now
20 you can't. We're in the middle of a motion
21 pending, and it's a discussion limited to
22 Council. I don't think we can.

23 **MR. JONAS:** That's correct.

24 **THE PRESIDENT:** So are we
25 ready to vote on the motion?

NARBERTH COUNCIL MINUTES

MR. MUDERICK: Yeah.

THE PRESIDENT: All those in

favor --

MR. WEISBORD: Do you want me

to restate it?

THE PRESIDENT: I have it

here.

MR. JONAS: You first have

the motion to grant the waiver separate, and then

motion for the approval.

MR. MUDERICK: The second one

is on the table right now. So why don't we pass

that. Can we go back and pass the part one?

MR. JONAS: Why don't you

amend the motion to include the waiver.

MR. WEISBORD: Amend this

motion to add a motion to grant the waiver for

the old St. Margaret's school and move for the

waiver from Section 113-17.A(2).

THE PRESIDENT: You had --

MR. MUDERICK: I'll second.

MR. JONAS: You second that?

MR. MUDERICK: Yeah.

MR. WEISBORD: These are

1 **NARBERTH COUNCIL MINUTES**

2 rolled into one?

3 **MR. JONAS:** Why don't you
4 vote on the amendment.

5 **MR. WEISBORD:** Okay.

6 **THE PRESIDENT:** Any
7 discussion on the amendment?

8 (No response.)

9 **THE PRESIDENT:** All in favor
10 of approving the amendment?

11 **MR. WEISBORD:** Aye.

12 **MR. WEGBREIT:** Aye.

13 **MR. MUDERICK:** Aye.

14 **THE PRESIDENT:** Aye.

15 Any opposed?

16 (No response.)

17 **THE PRESIDENT:** Motion
18 carries unanimous.

19 **MR. JONAS:** So, now, you have
20 the amended motion in front of you.

21 **MR. WEISBORD:** Should I
22 restate the motion?

23 **MR. JONAS:** Why don't we just
24 say that it's the motion to grant the waiver from
25 Section 113-17.A(2) requiring a 24-foot driveway

NARBERTH COUNCIL MINUTES

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2 width, and it's a motion to approve subject to 15
3 conditions, including the details and drawing
4 sheets that had been discussed at the Narberth
5 Planning Commission meeting with the members of
6 the Zoning Committee. So there are 15 conditions
7 as part of that motion.

8 **MR. WEISBORD:** And I want to
9 add in addition to the documents presented to
10 Building and Zoning Committee on June 30th as
11 outlined in -- as indexed here in this packet.

12 **MR. JONAS:** Are you
13 identifying Paragraph 15 of the motion?

14 **MR. WEISBORD:** This package
15 is not identified yet. Let me make sure that
16 under Section 14, discretionary drawings, that we
17 have those in the package, delivered to Building
18 and Zoning Committee on June 30th.

19 **MR. JONAS:** Then you're going
20 to want to further amend the motion to include
21 the package. I don't have that package.

22 **MR. WEISBORD:** Amend the
23 motion to include the package submitted by the
24 applicant, Mr. Moser, to the Building and Zoning
25 Committee on June 30th.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. MUDERICK:** Second.

3 **MR. JONAS:** So that will be
4 Paragraph 16 of the motion?

5 **MR. MUDERICK:** Correct.

6 **MR. JONAS:** Can you identify
7 the packet of documents?

8 **MR. WEISBORD:** Sure. It's
9 items two through eight. And I guess we could
10 title this the Narberth Building and Zoning
11 Committee Meeting of June 30th.

12 **MR. JONAS:** So it's package
13 submitted to Building and Zoning Committee on
14 June 8th, items number two through eight.

15 **MR. MUDERICK:** June 30th.

16 **MR. JONAS:** June 30th, sorry.
17 June 30th.

18 **MR. WEISBORD:** I don't know
19 if we need to get this detailed. Do we
20 include --

21 **MR. JONAS:** I can't attach
22 that.

23 Did we have a second?

24 **MR. MUDERICK:** We did. We
25 can vote on the second amendment.

NARBERTH COUNCIL MINUTES

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2 of building and zoning motion, please signify by
3 saying aye.

4 **MR. WEISBORD:** Aye.

5 **MR. WEGBREIT:** Aye.

6 **MR. MUDERICK:** Aye.

7 **THE PRESIDENT:** Aye.

8 Any opposed?

9 (No response.)

10 **THE PRESIDENT:** Motion

11 carries unanimous.

12 **MR. WEISBORD:** May I make a
13 comment? I just feel that our satisfaction and
14 our -- I would say we're really happy that Mr.
15 Moser and his development team have come along
16 and saw an opportunity in the old St. Margaret
17 school to adaptively reuse it as a residence, and
18 we look forward to continuing to work with you.

19 **MR. MOSER:** Unfortunately, I
20 feel your solicitor better not eat his words.

21 **THE PRESIDENT:** We're going
22 to move on.

23 **MR. WEISBORD:** That was my
24 comment.

25 **THE PRESIDENT:** What's next

NARBERTH COUNCIL MINUTES

2 on building and zoning.

3 MR. WEISBORD: Sure.

So we now have an update on
the subdivision of the Narberth tennis courts,
Haverford Avenue, the plans submitted to the
Narberth Planning Commission on May 5th, 2014.

8 And I believe, Mr. Martin, do
9 you have an update for that on that, because I
10 don't have any detail on that one? No letter
11 from the Planning Commission.

12 **MR. MARTIN:** It will not be
13 introduced or discussed this evening. We had had
14 a discussion, so has Mr. Jonas, with the
15 representatives from the tennis court project,
16 and that will be on the agenda for September.

17 **MR. WEISBORD:** Okay. Great.

18 I think that does it for Building and Zoning

19 Committee. I think we would like to schedule a

20 meeting for the third Monday, if possible, if

21 that would work for other members, and that would

22 be the 18th, a week from tonight. Could we have

23 Building and Zoning Committee meeting then, 7:30?

24 MR. MUDERICK: Sure.

25 MR. WEISBORD: Great. Thank

1 **NARBERTH COUNCIL MINUTES**

2 you, Mr. President.

3 **THE PRESIDENT:** Okay. Circle
4 back to public safety.

5 **MR. MUDERICK:** One moment,
6 thank you.

7 Public safety did not meet
8 this month as we are down one Council member with
9 Mr. Alexander, and Mr. Diaz is on vacation.

10 I can report -- we have a
11 report from the fire chief and a report from the
12 fire marshal to be submitted to the public. Do
13 you have a police report?

14 **THE MAYOR:** Not yet.

15 **MR. MUDERICK:** Police report
16 pending. That's it. We'll meet again a half
17 hour before the combined caucus Council meeting
18 in September.

19 **THE PRESIDENT:** I ask that
20 the fire department and the fire marshal reports
21 be accepted and submitted and made available to
22 the Council and public.

23 Next up, anybody have any
24 questions for public safety? Comments?

25 (No response.)

1 **NARBERTH COUNCIL MINUTES**

2 **THE PRESIDENT:** Public works.
3 Councilman Wegbreit.

4 **MR. WEGBREIT:** We have before
5 us tonight the agreement with Pennoni Associates
6 to oversee the contract and bidding documents on
7 the unpaid portion of Hampton Avenue, the
8 resurfacing. And I will be making the resolution
9 later. If I have it right, they'll put the
10 documents together, they'll accept bids, and the
11 cost of organizing and planning that is roughly
12 \$10,000.

13 **MR. MARTIN:** That's correct.

14 **MR. WEGBREIT:** And then
15 assuming we accept the bid and move forward,
16 there are additional costs, construction
17 observation and oversight would be an additional
18 \$6,000 roughly?

19 **MR. MARTIN:** That's correct.

20 **MR. WEGBREIT:** We would also
21 have that choice as we go to that part to choose
22 another construction oversight should we do that.
23 So we're binding ourselves really only for the
24 \$10,000. With this resolution, we would target
25 accomplishing the paving of that section, which

NARBERTH COUNCIL MINUTES

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2 has been discussed for many years. And monies,
3 assuming we do that, will come out of the one we
4 approve tonight. So that's the background there.
5 If there's any questions on that?

6

I'm going to submit the
7 manhour report for the month. There is nothing
8 extraordinary. The labor is a little higher, but
9 that's because we have summer programs going on
10 it appears. I submit that and it's available to
11 the public.

12

The trash crew, the hauler
13 that we have been using, we have additional
14 comments to them, we discussed it at our Public
15 Works Committee. We felt that the trash hauler
16 had taken the initial round of comments and
17 responded accordingly improving their service,
18 picking up lids, picking up cans. There's still
19 some concern out there with grass clippings and
20 such that the Borough manager will continue to
21 both monitor and make knowledge available to the
22 community as well as to the hauler, and we
23 continuously thank those who have put in their
24 concerns, because they want them to be good, we
25 want them to be good, and it's coming around.

1 **NARBERTH COUNCIL MINUTES**

2 The last item on my notes
3 here is the tunnel area, where we're looking to
4 move forward eventually or soon with
5 documentation that would allow us to submit to
6 PennDOT for roundabout. The survey was
7 completed; however, due to vacation schedules,
8 that our traffic planner, TPD, are a couple weeks
9 behind in getting their analysis of how that fits
10 in with the submission. So we should be
11 discussing that within next week per my
12 conversation with Jeff Todd, and hopefully at
13 that point, we'll have more knowledge to share
14 with Council and how that would work and lead to
15 the next steps there. Anybody has anything to
16 add to that?

17 **THE PRESIDENT:** I guess the
18 one question with the hauler, are they suppose to
19 take our grass clippings or not?

20 **MR. MARTIN:** They are no
21 longer permitted to take grass clippings in with
22 the trash. They have to be taken and we have it
23 in the news letter for distribution. They have
24 been advised by the transfer facility of a couple
25 of things. The number one thing they have been

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NARBERTH COUNCIL MINUTES

2 advised of is that if it's a green vegetation, it
3 should go into our normal brush collection, and
4 that's where they have had their difficulty. It
5 also appears as though there have been more so
6 folks with grass and brush in it, and they have
7 been advised of this by the transfer facility.

8 **MR. WEGBREIT:** It's not the
9 hauler that doesn't want to take it. The hauler
10 doesn't have any place to take it to.

11 **MR. MUDERICK:** It will
12 contaminate their whole load and then it won't be
13 accepted.

14 **THE PRESIDENT:** I mean, are
15 we suppose to put them in trash cans the second,
16 last Tuesday?

17 **MR. MARTIN:** It should go
18 into the brush collection, the brown bags, yes.

19 **THE PRESIDENT:** And that's
20 once a month; right?

21 **MR. WEGBREIT:** Twice a month.

22 **MR. MARTIN:** It's actually
23 more than that, as we get into this time of year,
24 because we anticipate there being more leaves,
25 more brush and more removal. In next year's

1 **NARBERTH COUNCIL MINUTES**

2 schedule, we have already discussed the fact that
3 they're going to increase brush collection
4 throughout the spring, summer, and fall, not only
5 the fall.

6 **MR. WEGBREIT:** It would be
7 good to coordinate with you, Tom.

8 **THE MAYOR:** You can raise
9 something about it.

10 **MR. MARTIN:** They're on the
11 schedule presently.

12 **THE PRESIDENT:** I have one
13 other question. With this roundabout, your most
14 optimistic schedule would you foresee
15 construction beginning before the construction of
16 North Narberth bridge or after?

17 **MR. WEGBREIT:** So you've got
18 two factors. You have North Narberth bridge,
19 which is a random shot and you got --

20 **THE PRESIDENT:** Before or
21 after. Give us your most optimistic --

22 **MR. WEGBREIT:** Optimistic
23 would be before. A lot of the time frame that we
24 have that's involved in this is in the
25 guestimates. A lot of that has been done.

1 **NARBERTH COUNCIL MINUTES**

2 Surveys have been done with a lot of the other
3 aspects.

4 **THE PRESIDENT:** Okay, before.
5 I was just curious.

6 **MR. WEGBREIT:** That's the
7 target.

8 **THE PRESIDENT:** Okay. Next
9 up would be property. Councilman Weisbord is the
10 only one here from that committee.

11 **MR. WEISBORD:** Sure.

12 Members of the Property
13 Committee would like to report the following
14 activities for the month of July 2014: Painting
15 of the large wall at the rear of the municipal
16 parking area has been completed. The lower wall
17 area will be budgeted for the painting in 2015.

18 Number two would be
19 concurrence of the 4th of July Committee. The
20 fire marshal and the assistants and volunteers of
21 the highway crew, pedestrian safety barricades
22 were installed around the perimeter of the safe
23 zone for fireworks display.

24 And number three, the
25 committee met with the 201 Sabine elevator team

NARBERTH COUNCIL MINUTES

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2 and solidified locations for the shelf assembly
3 with the consideration of future building
4 modification and present tenants' awareness. So
5 that elevator project is underway. And I'll
6 submit that for review of Council and public.

7 Aaron and the Finance
8 Committee have already stolen the thunder of the
9 Property Committee, but we should, once again --

10 **MR. MUDERICK:** Once again.

11 **MR. WEISBORD:** Once again
12 express our gratitude for this grant that is
13 awarded to the Borough of Narberth for the East
14 Branch of the Indian Creek Stormwater Management
15 Initiative.

16 Does anybody want to say
17 anything else?

18 **MR. WEGBREIT:** I think we
19 should just ask Patty and Todd of anything that
20 we should know or are you here to answer our
21 questions?

22 **MS. THOMPSON:** Yeah. We're
23 just here to answer questions and, you know,
24 express how excited we are to be working with you
25 in a new way. It's a new exciting project. And

NARBERTH COUNCIL MINUTES

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2 I know it's been -- you've been contemplating it
3 for a really long time, and we're excited to be
4 able to make the projects come to a reality. And
5 it was really fortuitous to be able to connect
6 the two, because it will be stronger, the terrace
7 project and Windsor Avenue, you know, we'll be
8 able to marry the two projects, and then work
9 together, and we hope it's a great benefit. So
10 we're delighted, and Todd is here, you know, just
11 to express --

12 **MR. BRESSI:** As vice-chair of
13 the conservancy, co-author of the Borough Zone
14 and Space Master Plan, resident of Narbrook Park,
15 I'm triply happy and thankful for your support.
16 I would like to guarantee you that I personally
17 will make my match of this project through my
18 volunteer hours and the project at Narbrook Park
19 useful.

20 **THE PRESIDENT:** The
21 neighborhood children want to know if you're
22 going to build, like, a sled ramp to go over the
23 creek. That's what they want for the wintertime.

24 **MR. BRESSI:** We got to get
25 the hill working a little better. We'll take it

1 **NARBERTH COUNCIL MINUTES**

2 under advisement, Mr. Chairman.

3 **THE PRESIDENT:** Thank you.

4 **MR. WEISBORD:** I know the
5 Property Committee has had a lot of fun following
6 this initiative. Once again, our gratitude.

7 Also, I just think it's
8 really fantastic the way this project was put
9 together. The roadway and the landscape and the
10 buildings, you know, that it's not kind of like
11 focused in one. It's an excellent project.

12 I don't think there's
13 anything more from the property other than the
14 meeting schedule. I'll leave that with Richard
15 to work out. Thank you.

16 **THE PRESIDENT:** Okay.
17 Building and zoning is done.

18 Next up is economic
19 development. I'll defer to Councilman Wegbreit
20 here.

21 **MR. WEGBREIT:** I'll ask Ed,
22 since he's here. When we spoke at the meeting
23 about the proposal, where we would move forward
24 with that? Did we suggest that we would move
25 forward on the map? I think that's where we left

1 **NARBERTH COUNCIL MINUTES**

2 it. Where are we timing and direction wise?

3 **MR. RIDGWAY:** At the last
4 Economic Development Committee, we talked about a
5 couple of different projects. One of them was a
6 print piece. And one of the elements of that
7 print piece is a map. The map is underway. And
8 the print piece, we need to talk a bit more about
9 that. I've got some ideas on how to do that.

10 But the map is underway. That's a relatively,
11 you know, small/medium project. And no matter
12 where the print project goes, we're going to have
13 a lot of good uses for this map that will be good
14 for the residents and the businesses.

15 **MR. WEGBREIT:** Great. When
16 do we expect to see the map?

17 **MR. RIDGWAY:** I've got
18 sketches of it already. I can send you the --
19 but they were early draft sketches of what its
20 going to look like.

21 **MR. WEGBREIT:** What are you
22 targeting?

23 **MR. RIDGWAY:** Basically, the
24 station overlay area of the downtown area, and
25 there will also be the Montgomery Avenue corridor

1 **NARBERTH COUNCIL MINUTES**

2 will be mapped as well to represent those
3 businesses out there.

4 **MR. WEGBREIT:** So when will
5 we see these items that we can share with Council
6 and some of the business owners?

7 **MR. RIDGWAY:** I can e-mail
8 you rough drafts tomorrow and then I'll give you
9 them as they come in. But the artist has been
10 working on it pretty much every day.

11 **MR. WEGBREIT:** Great.

12 **MR. WEISBORD:** Just a point
13 of organized order, I guess. I see here on
14 Mr. Diaz's place that there was actually a formal
15 resolution from the Property Committee. Do we
16 want to move --

17 **MR. MUDERICK:** I think we
18 dealt with that.

19 **MR. WEISBORD:** We sort of
20 already done it. We'll just send it in.

21 **THE PRESIDENT:** Send it up,
22 thank you. Anything else for economic
23 development?

24 **MR. WEGBREIT:** I don't think
25 so.

NARBERTH COUNCIL MINUTES

2 THE PRESIDENT: How about
3 succession planning?

4 **MR. WEGBREIT:** Succession
5 planning activity. There's a lot to report, as
6 we are very close to putting out a job
7 description for the assistant Borough manager.

8 **MR. MUDERICK:** Solicitation,
9 right, or are we putting out a description first?

10 **MR. WEGBREIT:** For people to
11 fill the role.

12 **MR. MUDERICK:** That's what I
13 suspect.

14 **MR. WEGBREIT:** There's a lot
15 of wording. So I had sent that to each of the
16 members of Council, and there was some comments
17 on it. I don't think we want to discuss those
18 comments now or --

19 **THE PRESIDENT:** Might as
20 well.

21 **MR. WEGBREIT:** Okay. Bill,
22 did you have any comments on it?

23 **MR. MARTIN:** I thought it was
24 done very, very well.

25 MR. WEGBREIT: Yeah. I liked

NARBERTH COUNCIL MINUTES

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2 it quite a bit. I thought he really raised
3 everything with the committee, and the initial
4 succession planner had developed. So the only
5 couple comments or there's one detail that's
6 suggested that had said the applicants for this
7 role would, you know, have to have a college
8 degree. Some of the comments back on that was it
9 will most likely happen, but not necessarily to
10 mandate that, you know, the work product can
11 speak for it. So I will suggest to you that we
12 remove that line. It's not the threshold line.
13 There's another comment on more customer service
14 in the description. But as I reread the
15 description this morning, I saw it was really
16 noted in two areas, that type of characteristic
17 of meeting with the public, meeting with other
18 people, you know, the customer service concept is
19 just stated actually in more detail than using
20 that term "customer service." So I'm going to
21 leave that sit. And then Bob had a quick comment
22 that you suggested ability or knowledge of usage
23 of GES -- is it GES?

24 **MR. RIDGWAY:** GIS.

25 **MR. WEGBREIT:** GIS. And I

NARBERTH COUNCIL MINUTES

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2 think while that's something characteristic that
3 we'll look at -- I don't know if we want to state
4 that as a particular skill item to limit the
5 field, but, I mean, it's certainly something --
6 it's a working document of what the applicant
7 will draw from the applicant pool. And as we --
8 and they start their interviewing and bring
9 candidates to us, and then we eventually
10 interview the final candidates. And those are
11 the type of things that will stand out, I think,
12 within that we anticipate in the resumes.

13 So the only last step is I
14 asked our labor attorney group to take a look at
15 the --

16 **MR. MUDERICK:** Did he get
17 back to you?

18 **MR. WEGBREIT:** He did get
19 back to me. He was on vacation, and I also was
20 on vacation, and I asked him for just a
21 five-minute overview of it to see, stop, I want
22 to make sure somebody reads it, or it seems like
23 it's in order. I think at this point, though,
24 based on our experience of Sprinstead group, I
25 didn't see anything, and we all looked at it. I

NARBERTH COUNCIL MINUTES

2 think we're safe to put it out there. There's
3 nothing in it that drew a flag of any type. And
4 if for some reason it does, we'll cancel it and
5 repost it rather than wait two weeks for him to
6 come back from vacation. So I'll be sending
7 Sprinstead a note tomorrow to release it. There
8 was a formatting structure that Bob had a concern
9 about. I went on my phone when I reviewed it.

10 **MR. MUDERICK:** You can't
11 format on a phone.

12 **MR. WEGBREIT:** So I will tell
13 them to review that before they --

14 **MR. MUDERICK:** There's a
15 sentence fragment in the first two paragraphs
16 that were duplicated.

17 **MR. WEGBREIT:** I didn't see
18 that.

19 **MR. WEISBORD:** There was a
20 paragraph superimposed on a photograph.

21 **MR. WEGBREIT:** Yeah. That
22 was an issue I saw.

23 **MR. MUDERICK:** It had a word
24 "unique" in it. It was fragmented twice.

25 MR. WEISBORD: I downloaded

1 **NARBERTH COUNCIL MINUTES**

2 it PDF from my computer. I'll show it to you.

3 **MR. WEGBREIT:** So I can send
4 it to phone, MAC, PC, and web. So, hopefully,
5 based on those little notes, I would suspect he
6 would get it out towards the end of the week.
7 And I think I sent everybody a note with what the
8 suggested schedule was, which was to find a
9 candidate, to have the candidate pool open for
10 resumes for a date in September roughly thirty
11 days from when he sends out and releases it.
12 When it's released, it'll be sent, you know,
13 we'll all have the ability to forward it, to post
14 it. It will be a public document by all means.
15 So, hopefully, that will draw the candidate pool.
16 It's the same recruiter that did the work in
17 Lower Merion, and, you know, we're very excited
18 about this process. The description of Narberth
19 was almost, you know, better than what we
20 describe it ourselves.

21 **THE PRESIDENT:** It could be a
22 tourism brochure.

23 **MR. WEGBREIT:** Well, I think
24 a lot of it is cut and pasted from some of that
25 work product.

NARBERTH COUNCIL MINUTES

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So the scheduling would be to see resumes come in sometime in September. We'll work pretty efficiently with screening the resumes and applicant letters, doing pre-phone interviews, some type of soft prescreening to bring us to probably a pool of ten or twelve resumes, with a goal of four to six interviews that we would set up.

MR. MUDERICK: Or three,

depending on who asks.

MR. WEGBREIT: Where we would

set up a time away from Council meetings to meet.

So that will probably be end of September,

beginning of October, and that will take us

probably a total of six hours or so. So we'll

have to think about that type of schedule. And

then they'll narrow it down to one or two

candidates, bring them back, do a thorough

background check, police check, that type of

thing, and then we'll have an offer.

The other element is he's

doing -- we'll be receiving soon is a salary

survey of sorts of what other municipalities are

paying, local and such, so that we know where we

NARBERTH COUNCIL MINUTES

2 are competitive or not competitive. We haven't
3 set a solid number at this point, but that will
4 help us guide that conversation. And it's not
5 going to be a salary included in the
6 advertisement.

The last thing was, there was one element within this process where he said that he would interview roughly ten community members. So I would ask each of the Borough members to send me a list of three to five people. From that list, I'll see how obvious it is or not, and we can discuss it from our committee to who to ask to do that, but I would like to get that. I know from conversation with Richard is the only one who actually sent me a list of names.

18 **MR. MUDERICK:** I'll send you
19 them right now.

20 MR. WEISBORD: Me too.

21 **MR. WEGBREIT:** And that will
22 help us guide additional thoughts to what the
23 community as well as the Council is looking from
24 this role.

25 **THE PRESIDENT:** Does anybody

1 **NARBERTH COUNCIL MINUTES**

2 have any questions? What's that part you were
3 talking about -- telephone, prescreening,
4 interviews? Is this candidates?

5 **MR. WEGBREIT:** I shouldn't
6 speak for him.

7 **THE PRESIDENT:** Who's going
8 to do it?

9 **MR. MUDERICK:** Sprinstead.

10 **MR. WEGBREIT:** Yeah.

11 **THE PRESIDENT:** Okay. I
12 didn't understand.

13 **MR. WEGBREIT:** It will be
14 fairly soft. Normally what you do -- I mean, I
15 shouldn't speak for him, but in other businesses
16 that I've worked with, you know, it's not the
17 full interview, but it's just a -- we might take
18 twenty candidates and say we got your resume, we
19 saw this note, we saw that note, is this correct,
20 is that correct. And if something draws a flag,
21 they would probably be stopped. And if not, then
22 they would be considered for the real, you know,
23 interview.

24 **THE PRESIDENT:** Anybody else
25 have any questions or comments?

1 **NARBERTH COUNCIL MINUTES**

2 (No response.)

3 **THE PRESIDENT:** Parking Ad

4 Hoc. Mr. Wegbreit.

5 **MR. WEGBREIT:** Bill, where
6 are we on that?

7 **MR. MARTIN:** We have finished
8 all of the meters that we can finish. They have
9 a series of them that are about nine years old.
10 We have a woman by the name of Wilbanks, at POM.
11 She is supplying us with some numbers for the
12 replacement of the insides of those meters that
13 will fit into the casings that we have taken into
14 consideration. We figure there will be somewhere
15 between twenty and thirty of those. That
16 although they have -- we've done everything we
17 can do to them; it's going to be the replacement
18 insides that are going to be necessary for us.
19 We have figured that into our -- actually, we
20 thought we might be closer to fifty, but between
21 what Mr. Kennedy and the crew have been able to
22 do with the ones that we have and with Ms.
23 Wilbanks's assistance, we've been able to get
24 better than we thought. So we should have a
25 number from her, and we're going to go ahead and

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NARBERTH COUNCIL MINUTES

2 order those and have them shipped in within -- I
3 would say the year before the next meeting and
4 installed, and they would be within the bunch we
5 had anticipated.

6

MR. WEGBREIT: I'll mention
7 that the committee received a handful of letters
8 concerned about primarily the ten-hour meter
9 rates, that they were more expensive essentially.
10 And we considered them, but we felt that in the
11 context --

12

MR. MUDERICK: You're talking
13 about five dollars a day instead of \$2.50 a day.

14

MR. WEGBREIT: Is that
15 correct, the two fifty? Exactly. So we felt
16 that it was something of note, but we didn't feel
17 that it would change our recommendation or the
18 process that's already been approved by Council.

19

MR. MARTIN: And to that end,
20 we're still reviewing the kiosk situation for
21 those ten-hour meters on Windsor Avenue.

22

MR. MUDERICK: Someone who
23 works here is just curious about an extra \$600 to
24 use those meters about five days a week.

25

MR. WEGBREIT: Have we heard

1 **NARBERTH COUNCIL MINUTES**

2 anybody complain about the actual luggage of the
3 quarters?

4 **MR. MARTIN:** Zero.

5 **MR. WEGBREIT:** We'll talk
6 about it in committee.

7 **MR. MARTIN:** We haven't had
8 one word about that at all.

9 **MR. WEGBREIT:** Also, I'd ask
10 Mr. Martin to see if there's -- what the level of
11 ticketing was this year, this July versus last
12 July, considering that we had an extra body on
13 the street writing tickets, and your response was
14 negligible, if not less, overall ticketing.

15 **MR. MARTIN:** Almost
16 identical.

17 **MR. WEGBREIT:** Yeah. Which
18 means there's nothing really to note. Thank you.

19 **THE PRESIDENT:** Next up
20 Agenda Item No. 7, citizens present. Anyone like
21 to address Council?

22 (No response.)

23 **THE PRESIDENT:** Okay. Moving
24 along to resolutions. Public works, a motion to
25 authorize the agreement with Pennoni Associates.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. MARTIN:** Completed.

3 **THE PRESIDENT:** Okay. We did
4 the motion for, B, as well for the National
5 Wildlife, Fish and Wildlife Fund. We did motion
6 C motion. Motion D, did we table that?

7 **MR. MARTIN:** That's tabled
8 until the September meeting.

9 **THE PRESIDENT:** So we're done
10 with all the resolutions.

11 Ordinances to be introduced
12 and considered for adoption. We took care of
13 that with the general obligation note.

14 Ordinance for enactment, we
15 actually did that as well.

16 Unfinished business.

17 **MR. WEGBREIT:** There's one
18 resolution for an item to be submitted, the
19 proposal by Pennoni.

20 **MR. MARTIN:** I think you
21 handled that.

22 **MR. WEGBREIT:** We discussed
23 it. I don't think we voted on it.

24 **THE PRESIDENT:** Let's vote on
25 it.

1 **NARBERTH COUNCIL MINUTES**

2 **MR. WEGBREIT:** Members of the
3 Public Works Committee recommend that the
4 proposal submitted by Pennoni Associates for
5 engineering consulting services for the survey
6 and design and documents for the resurfacing of
7 the Hampton Avenue street extension be approved.

8 **THE PRESIDENT:** Second?

9 **MR. WEISBORD:** Second that.

10 **THE PRESIDENT:** Any
11 discussion?

12 (No response.)

13 **THE PRESIDENT:** All in favor
14 of the motion to resurface Hampton Avenue, please
15 say aye.

16 **MR. WEISBORD:** Aye.

17 **MR. WEGBREIT:** Aye.

18 **MR. MUDERICK:** Aye.

19 **THE PRESIDENT:** Aye.

20 Motion carries unanimous.

21 **MR. WEISBORD:** How wide will
22 it be? Is it 18 feet?

23 **MR. MARTIN:** It will actually
24 be closer to 14 feet, the alleyway width. But we
25 do have a survey that's going to help us because

1 **NARBERTH COUNCIL MINUTES**

2 we want to curve the curb with the access points
3 coming from the other side.

4 **THE PRESIDENT:** So next up
5 will be unfinished business. Police
6 negotiations. But that's not something we'll
7 talk about other than do you have a meeting
8 schedule?

9 **MR. MUDERICK:** We had a
10 meeting with our attorney, a phone conference
11 this week. Now everybody is on vacation, so
12 we'll have one at the September meeting regarding
13 police negotiations. So we'll inch forward
14 slowly.

15 **THE PRESIDENT:** New business.
16 We've got the Council vacancy to deal with. I
17 guess I had sent out a letter when we first heard
18 about this that our process would be accepting
19 the resignation, which I think happens tonight,
20 and then we need to advertise the process for
21 appointing a replacement.

22 So, in the past, we have
23 solicited letters of interest and resumes. And
24 then once we determined how many we got, we
25 scheduled interviews and then voted after the

NARBERTH COUNCIL MINUTES

2 interviews to appoint. Is everybody okay with
3 that process?

4 **MR. MUDERICK:** We'll be able
5 to appoint at the September meeting. That's
6 within the time limit?

7 **MR. JONAS:** You have thirty
8 days from today to make the appointment. So the
9 September meeting.

10 **MR. WEGBREIT:** We only have a
11 single meeting in September?

12 MR. MUDERICK: Right.

13 **MR. JONAS:** The second Monday
14 in September is the 8th.

15 MR. MUDERICK: So we're good.

16 **MR. WEGBREIT:** We need to get
17 resume letters of inquiry in within five days --

18 **THE PRESIDENT:** Unless, I
19 mean, we didn't actually vote to accept anything.
20 Does anybody want to push it back?

21 **MR. JONAS:** Well, then, you
22 have an automatic time period of 45 days from the
23 date of the letter to act on it if you don't
24 appoint.

25 MR. MUDERICK: Let's act.

1 **NARBERTH COUNCIL MINUTES**

2 **THE PRESIDENT:** Then we have
3 to do it, okay. I guess for just, you know, not
4 as a cold-hearted deadline meeting of
5 September 8th.

6 **MR. MUDERICK:** We can do our
7 interviews before the meeting.

8 **THE PRESIDENT:** Right, right,
9 yeah. Do you want to put a deadline for the
10 submission, like, August 31st? Later? Earlier?

11 **MR. MUDERICK:** Make it the
12 Monday.

13 **MR. MARTIN:** The 29th is a
14 Friday.

15 **MR. MUDERICK:** The day after
16 Labor Day. What's that?

17 **THE PRESIDENT:** That's
18 probably the 2nd.

19 **MR. MUDERICK:** September 2nd.
20 Give people to come back from whatever they were
21 doing.

22 **MR. WEGBREIT:** The only thing
23 I would suggest is we make a note that interviews
24 will be held either September 4th or September
25 8th. That way -- I'm throwing out the 4th as a

1 **NARBERTH COUNCIL MINUTES**

2 suggestion, it's a Thursday -- if we receive I
3 would say more than three entries, we need to
4 have more time. And that way if somebody is not
5 available September 8th, we also can give them
6 September 4th.

7 **THE PRESIDENT:** We don't need
8 to set up the interviews until we see how many
9 applicants we have.

10 **MR. WEGBREIT:** I just think
11 it helps.

12 **MR. MUDERICK:** It helps to
13 tell people when they might be called in.

14 **MR. MARTIN:** I think what
15 we've done in the past is have two days to ask
16 folks to be available for at least one of the two
17 days.

18 **THE PRESIDENT:** How about a
19 Wednesday and a Monday since that's when Council
20 meets? That way we can eliminate the people that
21 can't make the meetings.

22 **MR. MUDERICK:** Fine with me.

23 **THE PRESIDENT:** Do it on
24 September 3rd and September 8th, before the
25 meeting, interviews.

NARBERTH COUNCIL MINUTES

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MR. MUDERICK: Fine by me.

MR. MARTIN: So I'm suppose
to be available September 3rd and September 8th?

THE PRESIDENT: Yes. I mean,
obviously, we can to try to accommodate anyone.

So what about for advertising
requirements, do we have to do anything special?

MR. JONAS: Not with an
ordinance or a resolution.

MR. MARTIN: I mean, put it
on the website and put it on the bulletin boards.

MR. JONAS: Just putting up
notice.

THE PRESIDENT: Tom will help
us.

THE MAYOR: Yes.

MR. MUDERICK: I move that we
accept the letter of resignation for Michael
Alexander.

THE PRESIDENT: Okay.
Second?

MR. WEISBORD: Second.

THE PRESIDENT: All in favor?

MR. WEISBORD: Aye.

NARBERTH COUNCIL MINUTES

MR. WEGBREIT: Aye.

MR. MUDERICK: Aye.

THE PRESIDENT: Aye.

We accept his resignation.

I guess one other item of unfinished business is decipher the treasurer report.

We have a general fund balance of \$843,041.28. We have a fire company equipment fund total of \$600,503.29. There's various other assorted fund accounts that bring total invested PLGIT funds into July 31st to \$1,884,452.83.

MR. MARTIN: I have one item also.

THE PRESIDENT: Okay.

MR. MARTIN: This is the meeting I just keep bringing you guys more money. As of July 25th, we now have \$1,249,000 towards the final design and reconstruction of the Narberth Avenue bridge.

MR. MUDERICK: That is committed or in our account?

MR. MARTIN: That is

NARBERTH COUNCIL MINUTES

1
2 committed. With 80 percent being handled under
3 the bridge bill, 50 percent under the federal
4 program, and five percent, approximately
5 \$200,000, which will be required by the Borough.
6 But the \$560,000 for the estimated cost of the
7 final design is hereby released, authorized, and
8 we have advised our engineering people as well.

9 **MR. MUDERICK:** Great. This
10 was expected.

11 **MR. MARTIN:** Oh, yes. Well,
12 I think Mr. Wegbreit put it the best way.
13 Considering the bridge, this was the next step to
14 be expected in considering their time limitations
15 and how long it took us to get one down. I think
16 this is a very positive movement in that area.

17 **THE PRESIDENT:** We're going
18 to have to have a brief executive session.

19 Motion to adjourn.

20 **MR. WEISBORD:** I move that we
21 adjourn the meeting.

22 **MR. MUDERICK:** Second.

23 **THE PRESIDENT:** All in favor?

24 **MR. WEISBORD:** Aye.

25 **MR. WEGBREIT:** Aye.

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NARBERTH COUNCIL MINUTES

MR. MUDERICK: Aye.

THE PRESIDENT: Aye.

Okay. Let's say five minutes
and we'll reconvene.

(At 9:11 p.m., proceedings
were concluded.)

— — —

C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me in the above cause and that this is a correct transcript of the same.

Tim Kurek

Official Court Reporter

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